

_____ BILL NO. _____

INTRODUCED BY _____

(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING ENERGY EFFICIENCY AUDITS OF ALL STATE-OWNED BUILDINGS; SETTING ENERGY EFFICIENCY STANDARDS FOR NEW CONSTRUCTION OF STATE-OWNED BUILDINGS; SETTING ENERGY EFFICIENCY STANDARDS FOR STATE PURCHASING; AND AMENDING SECTIONS 17-7-201 AND 17-7-206, MCA."

WHEREAS, buildings represent one of the largest potential sources of energy savings in the United States, accounting for 73% of electric power use; and

WHEREAS, it is the duty of state government to take necessary actions to minimize any deleterious effects to the environment through the course of governmental functions; and

WHEREAS, it is a stated national goal to take all prudent actions when possible to increase U.S. energy independence; and

WHEREAS, the implementation of developing technologies in building design and construction leads to economic growth through energy savings that are reinvested and increases jobs in both the manufacturing and research sectors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Energy efficiency audits. (1) The department shall audit all state-owned or state-funded facilities and buildings and report cost-effective means of reducing peak-load energy consumption and overall energy use. In conducting these audits, the department shall:

(a) examine existing energy efficiency and renewable energy programs and identify underused program strategies;

(b) determine where system upgrades should be made to reduce energy use and create financial savings, including an estimate of the cost of the upgrades.

(2) The department shall submit a report to each legislature based upon audit findings that include:

(a) recommendations for increasing energy efficiency and increasing the use of renewable energy; and

(b) the projected cost of any measures at the point of implementation, any related maintenance, and the

1 projected savings to be accrued from conservation over time.

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3 **NEW SECTION. Section 2. Energy efficiency standards for new building construction.** (1) All
4 planning and preparation for building construction under 17-7-202 after July 1, 2010, must be designed and
5 certified to the LEED silver standard.

6 (2) (a) Each state agency shall compile a report on operating savings relating to buildings constructed
7 after July 1, 2010, to the department of administration before July 1 of each even-numbered year.

8 (b) The department shall consolidate all reports from state agencies required in subsection (2)(a) into
9 one report to be presented to the legislature during the first week of each regular legislative session. This report
10 is in addition to any other reporting requirements under 17-7-203.

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12 **NEW SECTION. Section 3. Energy efficiency standards for state purchasing.** (1) When procuring
13 electronic devices or in delegating procurement under 18-4-222, the department shall purchase or ensure the
14 purchase of equipment that is compliant with the energy star program. Electronic devices referred to in this
15 section include but are not limited to computers, appliances, air conditioners, and office equipment.

16 (2) As used in this section, "energy star program" means the joint program on energy efficiency of the
17 U.S. environmental protection agency and the U.S. department of energy.

18
19 **Section 4.** Section 17-7-201, MCA, is amended to read:

20 **"17-7-201. Definitions of building and construction.** In this part the following definitions apply:

21 (1) (a) "Building" includes a:

22 ~~(a)~~(i) building, facility, or structure constructed or purchased wholly or in part with state ~~moneys~~ money;

23 ~~(b)~~(ii) building, facility, or structure at a state institution;

24 ~~(c)~~(iii) building, facility, or structure owned or to be owned by a state agency, including the department
25 of transportation.

26 ~~(2)(b)~~ "Building" The term does not include a:

27 ~~(a)~~(i) building, facility, or structure owned or to be owned by a county, city, town, school district, or special
28 improvement district;

29 ~~(b)~~(ii) facility or structure used as a component part of a highway or water conservation project.

30 ~~(3)(2)~~ "Construction" includes construction, repair, alteration, and equipping and furnishing during

1 construction, repair, or alteration.

2 (3) "LEED silver standard" means a standard under the leadership in energy and environmental green
3 building rating system developed by the United States green building council.

4 (4) "State agency" has the meaning provided in 2-18-111."

5
6 **Section 5.** Section 17-7-206, MCA, is amended to read:

7 **"17-7-206. Maintenance for state buildings.** (1) Subject to legislative determination as provided in
8 subsection (2), a major capital project appropriation by the legislature may include an amount for maintenance
9 as a part of the appropriation. The amount appropriated for maintenance must be deposited in the long-range
10 building account for use in future maintenance.

11 (2) A state building recommended for construction in the report to the legislature required by 17-7-203
12 may also be recommended as appropriate for the inclusion of an amount for maintenance. For those buildings
13 recommended for construction, the legislature may allocate an amount not to exceed 2% of the appropriated cost
14 for use in maintenance.

15 (3) This section does not preclude additional funds, including separate appropriations, donations, grants,
16 or other available funds, from being used for the construction or maintenance of state buildings.

17 (4) All maintenance for state buildings must incorporate practices designated by the LEED silver
18 standard for existing buildings."

19
20 **NEW SECTION. Section 6. Codification instruction.** (1) [Section 1] is intended to be codified as an
21 integral part of Title 90, chapter 4, part 6, and the provisions of Title 90, chapter 4, part 6, apply to [section 1].

22 (2) [Section 2] is intended to be codified as an integral part of Title 17, chapter 7, part 2, and the
23 provisions of Title 17, chapter 7, part 2, apply to [section 2].

24 (3) [Section 3] is intended to be codified as an integral part of Title 18, chapter 4, part 3, and the
25 provisions of Title 18, chapter 4, part 3, apply to [section 3].

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